



TOOP

Introducing The Once-Only
Principle project



ECRF Conference

Vito Giannella, 15th of June 2017

This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 737460

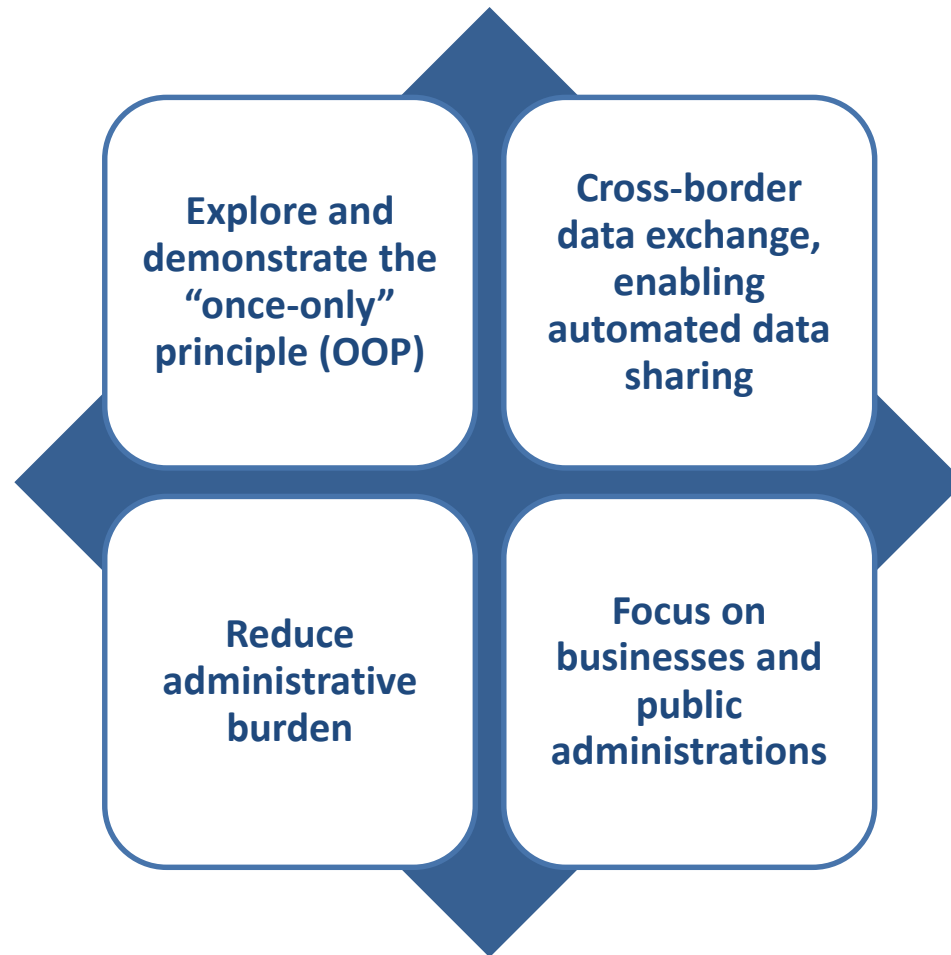


Once only principle

Citizens and businesses should supply a piece of information **only once** to a public administration who should then internally share this data with other public administrations, avoiding burdens on users from providing the same information several times.



TOOP Aim

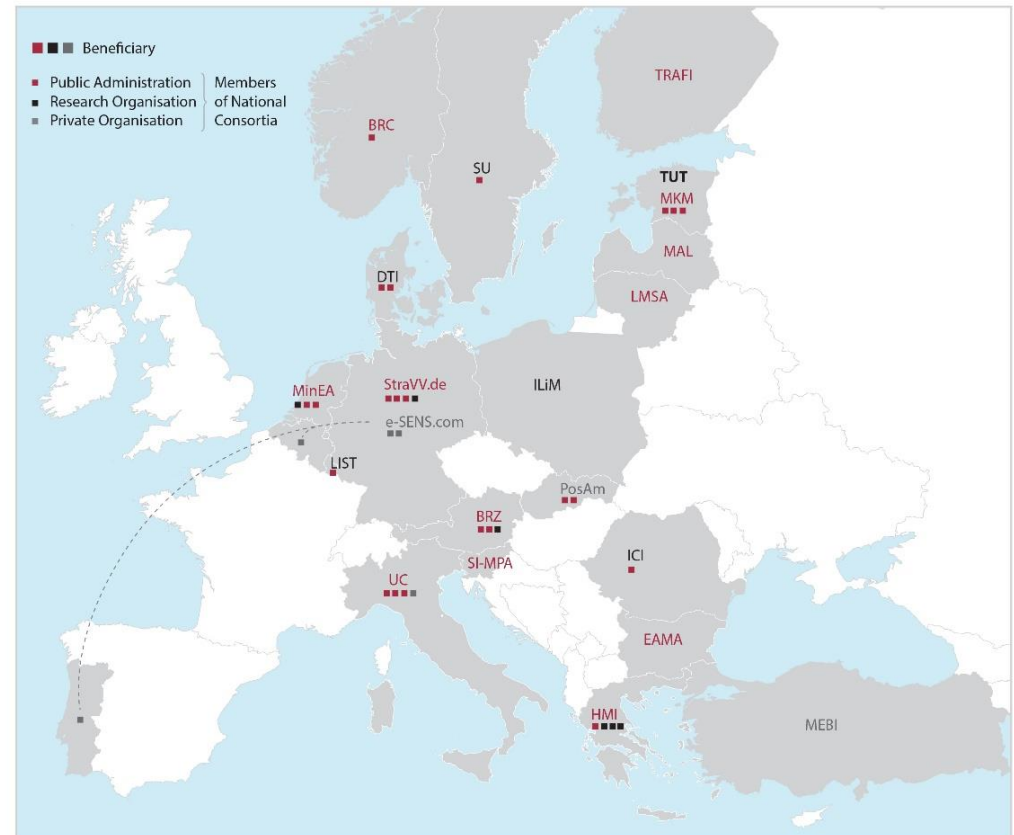




Participants

- 21 Beneficiaries from 21 countries

- 50+ Partners
 - Public Administrations
 - Universities
 - Companies



AT	BG	DE	DK	EE	FI	GR	IT	LT	LU	LV	NL
BRZ ■ BKA ■ BMF ■ DUK	EAMA	StraVV.de ■ BVA ■ MRN ■ UKL	DTI ■ DMA ■ DBA	TUT ■ MKM ■ EMA ■ RIA ■ RIK	TRAfi	HMI ■ GS CCP ■ CERTH ■ UA ■ UPRC	UC ■ ANAC ■ UC Europa ■ IC ■ C906	LMSA	LIST ■ CAM	MAL	MinEA ■ TNO ■ KvK ■ Logius
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Outcomes

- Demonstrate feasibility of OOP at cross border level
- Re-use of existing interoperable building blocks
- Based on
 - Analysis of legal landscape
 - Identification of drivers & barriers
 - Cost-benefit analysis
 - Evaluation of pilots
- Propose a federated architecture for OOP at EU level



The TOOP landscape

Actors & Organisations

- Public Data Providers
- Public Data Consumers
- Data Aggregators (Gov't and Private)
- National OOP infrastructures
- Domain-specific infrastructures & organisations – PEPPOL, Maritime network, BRIS, EBR

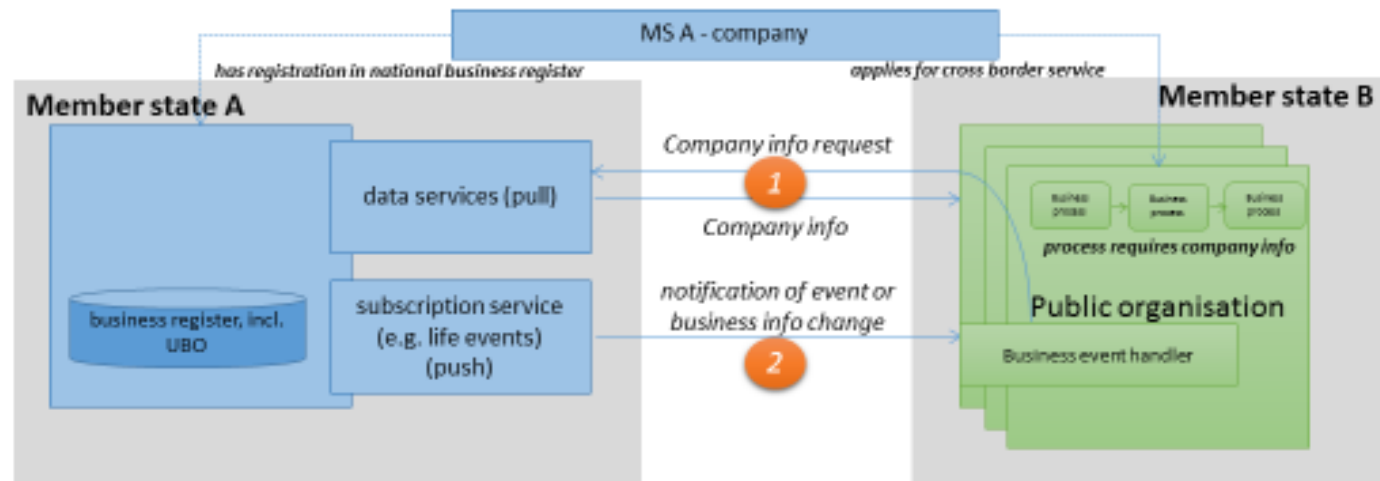


The TOOP landscape

Service scenarios

Data Consumers Data Providers	Domain-specific agencies	Business Registers	Generic Public eServices
	Domain-specific agencies	Business Registers	Generic Public eServices
Domain-specific agencies	<ul style="list-style-type: none">• eProcurement• Maritime services		
Business Registers	<ul style="list-style-type: none">• eProcurement	<ul style="list-style-type: none">• Business Registration	<ul style="list-style-type: none">• Services Directive• Tax Agencies• Law Enforcement Agencies
Generic Public eServices			<ul style="list-style-type: none">• eGov Business Portals• Licenses, qualifications and mandates,

TOOP approach



Interaction concepts:

- 1**
 - Public organisation queries foreign business register for a company that applies for a service
 - Business register provides company information directly to the public organisation
- 2**
 - Public organisation subscribes to certain 'events' at the foreign business register, possibly for specific companies.
 - The foreign business register notifies the service provider in case of occurrence of such an event.
 - The public organisation may query the business register via concept (1) to retrieve updated company information.



Users of the BRs pilot

- Any PA at EU level which provides e-services to business
- Law Enforcement Agencies, FIUs, police etc
- PAs to monitor companies during contracts execution
- BRs for simplification of cross border operations

**The Informal Company Law Expert Group
(ICLEG)**

Report on digitalisation in company law

March 2016

sion should consider taking action to see if any requirements imposed on branches to file information which are additional to those imposed by the Directive are justified.

9. **Single point delivery principle**

9.1. The availability of information in digitalised systems enables easy, quick and low cost retrieval. The member states and their national competent authorities (NCAs) should make full use of these opportunities to make information to the public available for free or at a low cost and in a way that can easily be accessed by both nationals and those from other member states. They should ensure that their digitalised systems work among NCAs in a particular member state and between their NCAs and NCAs of other member states in the area of company law.


9.2. It would also be desirable if a citizen or a company were only required to file information with one NCA and when other NCAs require the same information, the information would be pushed automatically to those NCAs from the NCA in possession of the information. For this approach to work, NCAs would need to identify what sorts of information have to be provided to more than one NCA, e.g. changes to details of directors, disqualification of directors or restrictions imposed on directors, and arrange for filing of that information to be automatically transmitted to all NCAs who need to receive it. This principle of single point delivery of information to public authorities within a member state should also apply among member states.


9.3. As the delimitation between company law and financial markets law, i.e. the regulation of publicly traded companies, is vague, the principle of single point delivery might also apply in respect of information provided by the company, its officers and shareholders as a matter of financial markets law.

9.4. We suggest that the NCAs of member states and any other bodies to which a company is required to provide information as a matter of company law or financial markets law (Relevant Bodies) should consider whether it would be possible to create a system that would work in this way to push information received by one NCA or other Relevant Body to all other NCAs or other Relevant Body to which the information would otherwise need to be provided.

Recommendation 10: The Commission should consider taking action so that member states enable their digitalised systems to interface and enable retrieval of company law information between their

»true copies« without an applicant needing to request this explicitly.

 **Recommendation 9:** The Commission should consider taking action to amend Directive 89/666 on branches, once BRIS is fully operational, to allow for a company to make all filings relating to a branch in another member state with the business registry of its home member state. The Commission should consider taking action to see if any requirements imposed on branches to file information which are additional to those imposed by the Directive are justified.

 **Recommendation 10:** The Commission should consider taking action so that member states enable their digitalised systems to interface and make retrieval of company law information between their national NCAs and Relevant Bodies possible in such a way that a citizen or a company would only be required to deliver information at a single point after which it would be provided automatically to all other national NCAs and Relevant Bodies which also need that information from that entry point without the citizen or company needing to take further action (single point delivery principle). This principle should also apply among member states and apply to information required to be provided under financial markets laws irrespective of the character of the entity receiving the company law or financial markets law information mandated by law. At a later date, member states should consider whether it is possible to extend this to other regulatory authorities in the member state or another member state, such as tax authorities.

Recommendation 11: The Commission should consider taking action so that the status of the acceptability of electronic documents as evidence in practice in legal and other proceedings should be reviewed and, if there are significant differences between the approach adopted by member states, consideration is given to setting

Links with other initiatives



- EU Company law upgraded: Rules on digital solutions and efficient cross-border operations (DG Justice)
- Proposal for a EU Regulation on establishing a Single Digital Gateway, COM(2017) 256 final, 2 May 2017 (DG Growth)
 - on establishing a single digital gateway to provide information, procedures, assistance and problem solving services



At a Glance

- Project start: 1 January 2017
- Project Coordinator: Tallinn University of Technology, Estonia
- Duration: 30 months
- Project budget: 8 mln €
- EU financing: 100%
- Programme: European Union's Horizon 2020 Research and Innovation Programme, under grant agreement No 737460



Grazie!

Visit TOOP: www.toop.eu

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